

EXHIBIT-8

Marilyn Burgess - District Clerk Harris County

Envelope No. 89675417

By: DANIELLE JIMENEZ

Filed: 7/11/2024 1:16 PM

\*CAUSE NO. 2020-35780

JAMES ALLAN, ROBERT L. THOMAS  
and ALLAN HAYE,

*Plaintiffs/Counter-Defendants,*

v.

PCF PROPERTIES IN TEXAS, LLC, ET  
AL

*Defendant/Third-Party Plaintiff*

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IN THE DISTRICT COURT

80th JUDICIAL DISTRICT

HARRIS COUNTY, TEXAS

MISC. DOCKET NO. 2020-35780

In Re: A Purported

Lien or Claim Against Real Property Owned by

P.C.F. Properties in TX, LLC

In the District Court

In and For Harris County, Texas

80<sup>th</sup> Judicial District

### **Motion for Judicial Review of Documentation**

### **or Instrument Purporting to Create Liens or Claims**

Now Comes, P.C.F. Properties in TX, LLC and files this motion requesting a judicial determination of the status of documentation or instruments purporting to create interests in real property, or liens or claims on real, or an interest in real property relating to 8202 Terra Valley Lane, Tomball, TX 77375, all of which are filed in the office of the Clerk of Harris County, Texas, and in support of the motion would show the court as follows:

I. P.C.F. Properties in TX, LLC, Movant herein, is the owner of the real property commonly known as 8202 Terra Valley Lane, Tomball, TX 77375, or the interest in real property described in the documentation or instrument. The Property is more particularly described as:

Lot Twenty-Five (25), in Block Two (2), of Miramar Lake Section Three (3), a Subdivision in Harris County, Texas, according to the Map or Plat thereof recorded under Film Code No. 553108 of the Map Records of Harris County, Texas.

Movant's interest in the Property is derived from a Trustee's Deed from Anna C. Sewart dated March 13, 2020, and recorded under Instrument No. RP-2020-116398 in the Real Property Records of Harris County, Texas. Movant also is the holder of a final judgment dated April 19, 2023, in Case No. 2020-35780, by the 80<sup>th</sup> Judicial District Court, Harris County, Texas, in *Thomas, et al v. P.C.F. Properties in TX, LLC., et al.* The Judgment quieted title to the Property, avoiding all other claims and/or interests in the Property.

II. As set forth below, in the exercise of the county clerk's official duties as County Clerk of Harris County, Texas, the county clerk received and filed and recorded the following documentation or instruments attached hereto and containing 22 pages. Said documentation or instruments purport to have created liens or claim interests on the Terra Valley Property, or a purported legal interest in real property against one the parties listed below:

<b>Instrument No.</b>	<b>Date Recorded</b>	<b>Type</b>	<b>Grantor</b>	<b>Grantee</b>
EXHIBIT A RP-2023-141432	04/20/2023	Release of Lien	ANDERSEN JAMES M	THOMAS ELIZABETH
EXHIBIT B RP-2023-148789	04/26/2023	Warranty Deed	MOORE MONIQUE	BEGUESSE-JARBIS JASMINE
EXHIBIT C RP-2023-428601	11/09/2023	Lis Pendens <sup>1</sup>	PITTS JIREH	P C F INVESTMENTS INC P C F PROPERTIES IN TX LLC P C F PROPERTY MANAGEMENT LLC
EXHIBIT D RP-2023-455646	12/04/2023	Warranty Deed	MOORE MONIQUE	THOMAS ELIZABETH

<sup>1</sup> P.C.F. Properties in TX, LLC is not a named party in the litigation and the Lis Pendens alleges facts not supported by any court record.

EXHIBIT. E RP-2024-49552	02/13/2024	Deed of Trust	JARBIS JASMINE B	SPIRES SHELVEY
EXHIBIT. F RP-2024- 175520	05/14/2024	Notice of Trustee's Sale	NRJA MAIKI SPIRES SHELVEY	JARBIS JASMINE
EXHIBIT. G RP-2024- 209741	06/10/2024	Trustee's Deed	JARBIS JASMINE B NRJA MALKI	SPIRES SHELVEY

III. Movant alleges that these deeds, documents and/or instruments attached hereto are fraudulent, as defined by Section 51.901(c)(2), Government Code, and that these deeds, documentation, and/or instrument should therefore not be accorded lien or claim status and should be removed from Movant's chain of title..

IV. Movant attests that assertions herein are true and correct.

V. Movant does not request the court to make a finding as to any underlying claim of the parties involved and acknowledges that this motion does not seek to invalidate a legitimate lien. Movant further acknowledges that movant may be subject to sanctions, as provided by Chapter 10, Civil Practice and Remedies Code, if this motion is determined to be frivolous.

PRAYER

Movant requests the court to review the attached documentation or instrument and enter an order determining whether it should be accorded lien status, together with such other orders as the court deems appropriate.

Respectfully submitted,

BARRY & SEWART, PLLC

/s/ John V. Burger

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*Attorneys for Movant, P.C.F. Properties in  
TX, LLC*

**CERTIFICATE OF SERVICE**

I do hereby certify that a true and correct copy of the forgoing was served to all parties in interest listed below by electronic delivery as allowed by the Texas Rules of Civil Procedure by first class United States mail, postage prepaid, on or before the 11<sup>th</sup> day of July, 2024.

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/s/ John V. Burger  
John V. Burger

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e File on behalf of John Burger

Bar No. 3378650

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Filing Code Description: Motion (No Fee)

Filing Description: MOTION TO AVOID LIENS & DEEDS3

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